

FILED

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

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CLERK, U.S. DISTRICT COURT

CRAIG CHARLES,
 plaintiff

v.

THOMAS DART, SALVADOR GODINEZ,
STEIN, JONES, JOHN MUELLER,
FORBES, GROSS, AND JOHN DOE
OFFICER, JANE DOE LT., JOHN DOE SGT.
JOHN DOE PSYCHOLOGIST, JANE DOE
PSCH WORKER.

defendants.

CASE 10 CV 772
JUDGE KENNELLY
MAGISTRATE JUDGE ASHMAN

C O M P L A I N T

1. This is an action by Craig Charles pro se, an inmate in the custody of the Illinois Department of Corrections and is a temporary inmate of the Cook County Department of Correction at the time of this cause, whoes Constitutional rights have been violated by the defendants Deliberate Indifference towards his mental illness.

2. Mr. Craig Charles brings this Civil rights action pursuant to title 42 U.S.C. 1983 and 1985 to redress the violation of his Eight (8) and Fourteenth (14) Amendment to the Constitution; Thereby alleging defendants acted with Deliberate Indifference towards his serious medical need when they denied him medication to treat his mental illness and the use of unnecessary force in response to the plaintiff mental disturbance caused by the lack of medication, and conspired to cover their actions up.

3. Mr. Charles seeks compensatory and punitive damages, as well any attorney fees and Court costs from defendants.

JURISDICTION AND VENUE

4. Jurisdiction is conferred upon this Court pursuant to 28 U.S.C. 1331 and 28 U.S.C. 1343 because the matters in controversy arise under the Constitution and Laws of the United State.

5. Venue is proper in this Court under 28 U.S.C. 1391 (b).

P A R T I E S

6. Mr. Charles is an inmate temporary within the Cook County Department of Correction here on remand from the Illinois Department of Correction.

7. Defendant Thomas Dart is, and at all times relevant to this lawsuit, the Cook County Sheriff and is responsible for the overall management of the CCDOC, including inmates grievances and medical care. Mr Charles sues Dart in his official capacity.

8. Defendant Salvador Godinez is, and at all times relevant to this lawsuit, an employee of the CCDOC and acts as executive Director, and is responsible for the management and administration of CCDOC, including inmates grievances and medical care. Mr Charles sues Godinez in his official capacity.

9. Defendant Stein is, and at all times relevant to this lawsuit a psychologist employed by cermak health services to provide need evaluation to determine what medication are need inresponse to mental illness, and to ensure those inmates are properly treated and encharge of the overall adminstration of mental health services in RDCD.

10. Defenadnt Junes is, and at all times relevant to this lawsuit a psychologist employed by cermak health services to provide mental health treatment to inmates within the CCDOC. Mr. Charles sues Jones in her individual capacity.

11. Defendant John Mueller is, at all time relevant to this lawsuit employee of the CCDOC and acted as supervisor of programs services, and is responsible for the management adminst-ration of CCDOC, including inmates grievances and medical care. Mr Charles sues Mueller in his official and individual capacity.

12. Defendant Forbes is, and at all time relevant to this lawsuit employed by the CCDOC as a correctional officer. Mr Charles sues forbes in individual and official capacity.

13. Defendant Gross is, and at all times relevant to this lawsuit employed by the CCDOC as a correctional officer. Mr Charles sues Gross in his individual and official capacity.

14. Defendant John Doe Officer is, and at all times relevant to this lawsuit employed by the CCDOC as a correctional officer. Mr Charles sues john doe in his individual and official capacity.

15. Defendant Jane Doe is, and at all time relevant to this lawsuit empolyed by the CCDOC as a Lieutenant. Mr Charles sues jane doe in her individual and official capacity.

16. Defendant John Doe Sergeant is, and at all times relevant to this lawsuit employed by the CCDOC as a Sergeant. Mr Charles sues john doe in his individual and official capacity.

17. Defendant John Doe Psychologist is, and at all times relevant to this lawsuit empolyed by cermak health services. Mr. Charles sues john doe in his individual capacity.

18. Defendant Jane Doe Psch Worker is, and at all times relevant to this lawsuit employed as a psch worker by cermak health services. Mr Charles sues jane doe in her individual capacity.

F A C T S

19. Tha plaintiff Craig Charles is a mentally ill who have been said to suffered from major depression, and manic depressive for which he was prescribed the medications of pro-zac, paxil, zolf, sinquan and elveail to treat the illness.

20. The plaintiff frist entered the CCDOC on January 8, 2003 once he reached the RCDC he was refused medication to treat his illness, this refusal lasted his ertire stay at the CCDOC until he left the CCDOC on January 27,2005.

21. This denial of medication came from Ms. Stein who gave all kinds of reason for not allowing the plaintiff access to the needed medications to treat his illness.

22. Not until the plaintiff was transfered out of the CCDOC to the IDOC did he finally begain to receive traetment for his mental illness and receive psychotherapy which he went without for some two (2) years back at the CCDOC.

23. While the plaintiff was at the CCDOC he was refered to the cermak health services for for treatment of his mental illness, by psychiatrist from the Forensic Clinical services who thought as well the plaintiff was in need of medication after they interveiwed him do to Court order, but was still ignored.

24. Because the plaintiff was successful in his appeal process was remanded back to the CCDOC from the IDOC on September 26,2007, upon his arrival through the RCDC his medication

was discontinued for no reason after being successfully being treated.

25. The plaintiff returned back and forwards to the CCDOC and IDOC on a number of dates on October 25, 2007 the plaintiff came back to the CCDOC on remand, upon his arrival the plaintiff was again refused his medication by Ms. Stein who stated "we do not medicate IDOC inmates at the CCDOC.

26. The plaintiff after finishing at the RCDC always was assigned to division one (1) a maximum security unite within the CCDOC that did not have the required theraputic programes to address his needs for psychotherapy.

27. For months the plaintiff went without medication to treat his mental illness due to the defendants act of ommision, even where he made many request for this treatment but was still denied it.

28. The plaintiff was taken for an psch evaluation over in cermak where a psychologist interveiwd him and stated he do not need any medication he only needs a visit, and refused to refere the plaintiff further for the medications.

29. The plaintiff was as well interveiwd by a Doctor Jones at cermak about a week later and she refused to further the plaintiff's request for medication to stating she would not do it, and did not want to see the plaintiff any more.

30. The plaintiff because of this lack medication to treat his mental illines and psycho-therapy his mental condition begain to deteriorate to the point he begain to experience psychotic symptoms hallucinations and delusional thinking and was suicidal.

31. The plaintiff experienced increased anxieties, increased depression, suppressed appetite, head and body aches, nausea, and sleep deprivations as a result of all named defe-ndants actions in denying him his need medication.

32. The plaintiff suddenly became disruptive, delusional and talked of suicid, was taken for another psch evaluation this time in RCDC befor defendant Stein, who upon seeing the plaintiff enter her office became very upset and state "he's not gitting any dame medication git him the hell out of my office".

32. The plaintiff became upset as well he and Ms Stein exchanged words, and other officers begain to crowed around, defendants Forbes and Gross was among them.

32. All while the plaintiff was in Ms. Stein's office, he was handcuffed behind his back defendant Forbes pulled the plaintiff by the arm, and the plaintiff pulled away from defendant Forbes, and without warning Forbes struck the plaintiff in the face knocking him to the floor out of his seat, all other officers who was present joined in and kick, punched and stomped the plaintiff.

33. All while the beating of the plaintiff was taking place Jane Doe Lieutenant and John Doe Sergeant stood by and watch and never made any attempt to intervene allowed the defendant's action to go unchecked.

34. When the beating of the plaintiff stopped defendant Forbes, Gross, John Doe officers, Jane Doe LT. and John Doe Sgt. put the plaintiff into an bull pen. the plaintiff suffered as a result of the defendants actions a bloody nose, bruising to his face, soreness his ribs and suffered and injuries to his back.

35. The defendant's refused to allow the plaintiff to see a doctor for injuries before putting him in the bull pen who was only a mere feet away from the bull pen who watched the whole incident and was willing to treat the plaintiff.

36. The defendant's showed deliberate indifference towards the plaintiff's serious medical needs as well his safety when they denied him the right to be treated for his injuries caused by their acts.

37. The use of force by defendant's Forbes, Gross and John Doe officers was unnecessary and was maliciously sadistically done for the very purpose to cause the unwanted infliction of pain.

38. The plaintiff filed a grievance complaining of this action, he never received a response from any one concerning the grievance, he wrote to defendant's Dart and Godinez explaining things to them concerning the defendant's action and did not receive a response from them either.

39. The plaintiff was shipped from the CCDOC to the IDOC on February 11, 2008 for no reason when the plaintiff was in the CCDOC on Court order, he never received a response from his grievance or from Defendant's Dart or Godinez.

40. The plaintiff returned back to the CCDOC from the IDOC on July 7, 2008 again due to Court order and was denied medication again by Ms. Stein, the plaintiff filed another grievance concerning her action as well wrote to Defendant's Dart, Godinez and Mueller,

after writing these defendant's the plaintiff was shipped back to IDOC on July 29,2008.

41. On August 20,2008 again the plaintiff remanded back to the CCDOC from the IDOC and again was on medication and was denied that medication, he filed another grievance and wrote the defendant's and soon thereafter was shipped back out of the CCDOC on August 25,2008.

42. It seem defendant's Dart,Godinez and Mueller has conspired each time the plaintiff would file an grievance complaining of the refusal of his medication and the beating he sustained at the hands of defendant's would be shipped out of the CCDOC.

43. Each time the plaintiff would return from the CCDOC his mental condition would have severally deteriorated that he would be isolated put on suicid watch.

44. Not until the plaintiff returned back to the CCDOC on January 5,2009 did he finally begain to recieve the required medication to treat his mental illness that was prescribed him befor coming to the CCDOC.

E X H A U S T I O N O F R E M E D I E S

45. Mr. Charles has exhausted all administrative remedies available to him prior to bring this 42 U.S.C. § 1983 civil rights lawsuit within the meaning of the prison litigation reform act, 42 U.S.C. § 1997 (e) (a) and copies of are attached hereto.

C A U S E O F A C T I O N

46. The plaintiff reallege and incorporate by reference paragraphs 19-41

47. Based upon information and belief defendant's Dart and Godinez knew that the abrupt ending to necessary treatment of mentally ill inmates who enter into the CCDOC through RCDC the are on psychotropic medications would cause serious harm to the inmate but disregarded that harm and allow the practice of enterfering with and denying the medication continued when the Department of Justice in their report of July 11, 2008 informed them that they was being deliberate indifference to those inmates serious medical needs as well Mr. Charles medical needs to cause the unnecessary wanton of pain in direct violation to the plaintiff's eighth amendment right to the United States Contitution.

48. Based upon information defendants Dart, Godinez, Stein, Jones and john doe psychologist knew that thier action of enterfering with and denying mentally ill inmates need medication they knew was documented of needing was at all times cause the unwanton of serious harm and server psychological damage was being deliberate indifferent to the plaintiff serious medical need in direct violation of his eight admendment right to the United States Contitution.

49. The defendant's Forbes, Gross, Jane doe LT., john doe Sgt., john doe officers knew because they where not psch trained to deal with inmates who becomes mentally disturbed because of lack medication, should not have used the excessive force they used on the plaintiff that caused serious physical and mental harm. This use of physical force against the plaitiff and the defendant's jane doe LT. and john doe Sgt. not to intervene to prevent the misuse of force that was maliciously and sadistically done to cause harm constitutes cruel and unusual punishment in direct violation of the plaintiff's eighth amendment right to the United States Constitution.

50. The defendant Mueller knew he had a responsibility once he was made aware of the plaintiff issues concerning not being treated for his mental ill via grievance, he had a duty to ensure the plaintiff received that needed medication but intered in a cloth on conspirece with defendant's Dart and Godinez to cover that need up he as well caused the plaintiff the unnecessary wanton of serious prolonged harm constituting dilberate indifference to the plaintiff's serious needs with his act of ommissions in violation of the plaintiff's eighth admen-dment right to the United States Contitution.

REQUEST FOR REFIEF

WHEREFORE: Plaintiff Craig Charles respectfully request that this Court:

A. Grant Charles compensatory damages against defendan's Dart, Godinez, Stein, Jones, Mueller, Forbes, Gross, john doe officers, jane doe Lt. john doe Sgt, john doe psycholgist, jane doe psh worker.

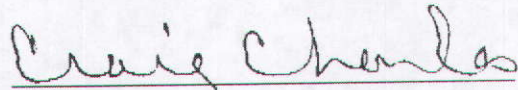
B. Grant Charles punitive damages against defendant's Dart, Godinez, Stein, Jones, Mueller, Forbes, Gross, John doe officer, jane doe Lt., john doe Sgt., john doe psycholgist, jane doe psch worker.

C. Grant Charles any other relief necessary to eradicate the effects of defendant's unlawful practices.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38 (b) Charles demands trial by Jury for all of the issues pleded so triable.

Respectfully Submitted,



Craig Charles-20090027254

P.O. Box 089002

Chicago, IL 60608

Date, Jan, 22, 2010

Oct 7, 2009

TO: Sherriffs Legal Department

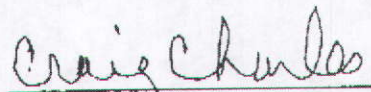
FROM: Craig Charles- 20090027254 Div 10 - 3A

Dear Legal Department

I was instructed to contact you concering some grievances I wrote some time back for which I never recieved any response to, and I'm still looking for that response attached to this correspondence is a copy of the lates grievance that I wrote which have the dates I filed the grievances and the numbers I was under.

If you could please address this concern for me and git this information back to me in reasonable time.

Thank You Very Much


Craig Charles

Part-A / Control #: XReferred To: Psychiatric Services☐ Processed as a request.

COOK COUNTY DEPARTMENT OF CORRECTIONS DETAINEE GRIEVANCE

 Detainee Last Name: Chavez First Name: CRAN

 ID #: 2009-0021254 Div.: 10 Living Unit: 3A Date: 9/1/09

BRIEF SUMMARY OF THE COMPLAINT: I, Maria Chavez, comes before
THE GRIEVANCE COMMITTEE, IN COMPLIANCE OF NOT RECEIVING
RESPONSE TO MY GRIEVANCE IN / CONCERNING THE
OF THE PSYCHIATRIC UNIT / SECTION I WAS PRESENT FOR
CONDUCTED FROM 2:00 PM TO 2:00 PM (5:00 PM) (GRIEVANCE
LETTER DATED 10-10-09) (10-20-09 2009-000157)
(1-5-08 2008-0017956) (8-22-08 2008-0040234) - THE
STAFF HAS BEEN PRESENT AS OF 10/1/09 - 10/1/09
UNTIL THE GRIEVANCE PROCESS / A REQUEST I WANT A
CONFIDENTIAL

NAME OF STAFF OR DETAINEE(S) HAVING INFORMATION REGARDING THIS COMPLAINT:

 I want the agent that I was with to be removed, on 10/1/09
 ACTION THAT YOU ARE REQUESTING:

 DETAINEE SIGNATURE: Maria Chavez
C.R.W.'S SIGNATURE: [Signature]DATE C.R.W. RECEIVED: 10/1/09

Please note: Decisions of the "Detainee Disciplinary Hearing Board" cannot be grieved or appealed through the use of a grievance form.
 All appeals must be made in writing and directly submitted to the Superintendent.

Part A / Control #: XReferred To: TO SERGE☒ Processed as a request.

COOK COUNTY DEPARTMENT OF CORRECTIONS DETAINEE GRIEVANCE

Detainee Last Name: Charles First Name: Craig

ID #: 2009-0027254 Div.: 10 Living Unit: 3A Date: 6/26/09

BRIEF SUMMARY OF THE COMPLAINT: I CRAIG CHARLES COME TO FOR
THE GRIEVANCE COMMITTEE. SEEKING ASSISTANCE FOR THE
INFORMATION CONCERNING THE STATUS OF GRIEVANCES THAT
I SUBMITTED FOR REVIEW ON THE FOLLOWING DATES 10.30.07
11.15.07, 8.22.08. MOVEMENT OF MY REQUEST TO PROCEED
WITH MY REQUEST TO TREAT MY PRESENT JAIL WORK AS
PER TO C.C.H.C. ON RETURN FROM THE I.D.O.C. - RETURNED TO
I.D.O.C. WITHOUT RECEIVING THE RESULTS OF THE GRIEVANCE HEARING
AND I HAVE BEEN AND I WANT TO HAVE THE ISSUE FINALLY RESOLVED
BECAUSE I SUFFERED SEVERE MENTAL ANXIETY AS A RESULT OF THE
DELAY IN THE REQUEST TO TREAT MY MENTAL ILLNESS

NAME OF STAFF OR DETAINEE(S) HAVING INFORMATION REGARDING THIS COMPLAINT:

TO HAVE THE RESULTS OF THE GRIEVANCE HEARING GRIEVANCES AND THE
 ACTION THAT YOU ARE REQUESTING:

PROCESS OF TRYING PSYCHOTROPIC MEDICATION STOP

DETAINEE SIGNATURE: Craig Charles

C.R.W.'S SIGNATURE: [Signature]DATE C.R.W. RECEIVED: 7/1/10

Please note: Decisions of the "Detainee Disciplinary Hearing Board" cannot be grieved or appealed through the use of a grievance form.
 All appeals must be made in writing and directly submitted to the Superintendent.

Part A - Control #: XReferred To: Progr. Sec.☐ Processed as a request.

COOK COUNTY DEPARTMENT OF CORRECTIONS DETAINEE GRIEVANCE

Detainee Last Name: Charles First Name: Craig
 ID #: 2004 - 0027251 Div.: 10 Living Unit: 3A Date: 12/15/09

BRIEF SUMMARY OF THE COMPLAINT: I came in complaint of the
Sheriff's Legal Department refusal to respond to
an inquiry I sent them as instructed to see
why none of my grievances have been a dress to
the trial of medication when I returned to
the CCLOC from the ILOC on several
dates

NAME OF STAFF OR DETAINEE(S) HAVING INFORMATION REGARDING THIS COMPLAINT:

I want my grievances a dress
 ACTION THAT YOU ARE REQUESTING:

DETAINEE SIGNATURE: Craig Charles

C.R.W.'S SIGNATURE: [Signature]

DATE C.R.W. RECEIVED: 12/15/09

Please note: Decisions of the "Detainee Disciplinary Hearing Board"
 All appeals must be made in writing.

grieved or appealed through the use of a grievance form
 submitted to the Superintendent

(WHITE COPY - PROG. SERV.) (YELLOW COPY - C.R.W.) (P)

TAI-NEE (GOLDENROD COPY - DIVISION/SUPT. OFFICE)

PART - C

C.C.D.O.C. DETAINEE GRIEVANCE FORM PROCESSED AS A REQUEST

Please Note :

- If the detainee is not satisfied with the response and/or attempt at resolving this issue, the detainee may resubmit the concern and it will be processed as a grievance.
- When processed as a request, an appeal of the response and/or action taken cannot be made.
 - When processed as a request, PART-B is not applicable.

Detainee's Last Name: ALMAY **First Name:** ALY

ID#: 100 - 1000000 Div: 100 Tier/Living Unit: 100

Date of Request: 11/10/17 Date C.R.W. Received Request: 11/10/17

This request has been processed by: H. H. W. W. C.R.W.

Summary of Request:

Response and/or Action Taken:

(Print-name of individual responding)

(Signature of individual responding)

Date: 4-11-68 Div./Dept.

PART--C

C.C.D.O.C. DETAINEE GRIEVANCE FORM PROCESSED AS A REQUEST

Please Note:

- If the detainee is not satisfied with the response and/or attempt at resolving this issue, the detainee may resubmit the concern and it will be processed as a grievance.
- When processed as a request, an appeal of the response and/or action taken cannot be made.
 - When processed as a request, PART-B is not applicable.

Detainee's Last Name: Charles First Name: RayID#: 200-2-1111 Div: 10 Tier/Living Unit: 10Date of Request: 11/1/09 Date C.R.W. Received Request: 11/1/09This request has been processed by: R. H. [Signature] C.R.W.

Summary of Request:

Detainee requested to be assigned to a different
unit.

Response and/or Action Taken:

Response: Detainee's request should be
referred to the Legal Department of the CDC for
review.

(Print name of individual responding)

(Signature of individual responding)

Date: 11/24/09 Div./Dept: 10